

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Jul 13, 2021**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Tyson Jerred Heath Case Number: 0980 2:17CR00010-WFN-1

Address of Offender: Spokane, Washington 99202

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: July 24, 2017

Original Offense: Domestic Assault by a Habitual Offender, 18 U.S.C. § 117

Original Sentence: Prison - 41 months Type of Supervision: Supervised Release
TSR - 36 months

Revocation Sentence: Prison - 10 months
(July 29, 2020) TSR - 26 months

Asst. U.S. Attorney: Alison L. Gregoire Date Supervision Commenced: February 10, 2021

Defense Attorney: Molly Marie Winston Date Supervision Expires: April 9, 2023

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Mandatory Condition # 1:</u> You must not commit another federal, state or local crime.
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Supporting Evidence: It is alleged that Mr. Heath has violated his conditions of supervised release by committing and being arrested for theft, on or about June 27, 2021.

On February 16, 2021, the conditions of supervision were reviewed with Mr. Heath relative to case number 2:17CR00010-WFN-1. He signed his judgment acknowledging his understanding of his conditions of supervision.

The following is derived from a police report filed by the Spokane Police Department, case number 2021-20106204.

Officers with the Spokane Police Department were dispatched to a fight call on June 27, 2021. A caller reported three males were fighting in the street. Two of the men were armed with metal pipes. One of the individuals ran to a vehicle and grabbed a dog.

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Later, an individual called police to report that two males involved in the incident had stolen his dog and they had a knife. The individual reported breaking the windshield of the suspect's truck.

Officers located the truck with a heavily damaged front windshield and streaks of blood on the driver's side door. The truck was registered to Tyson Heath. When Mr. Heath was contacted, he refused to answer who was the owner of the truck. Mr. Heath continued to refuse to answer questions and denied being involved in a fight, but said he was the victim of his windshield being damaged. Mr. Heath reported a male subject jumped on his truck. Mr. Heath was uncooperative, vague with his answers and not forthcoming with information. Mr. Heath initially reported he did not know anything about a dog.

Officers continued to ask Mr. Heath questions, and he then stated he was at Mission Park where he claimed to observe a person high on heroin. He began to talk to the male, and the male asked for \$20. In exchange for the money, Mr. Heath requested the dog. After exchanging money, he left with the dog in his truck.

Mr. Heath stated as he drove away the male began to chase him down, jumped on the hood of his truck and smashed his windshield.

The victim told police he was at the park with his girlfriend and their two pit bulls. One of the pit bulls wandered over to be pet by strangers. When the victim was not paying attention, a male working on his car yelled at the victim saying the strangers had stolen his dog and pointed at Mr. Heath and his truck. The truck began to drive away, and the victim was able to catch up to Mr. Heath in his own vehicle and blocked Mr. Heath so he could not get away with his dog. The victim began to jump on Mr. Heath's vehicle and smashed his windshield. The victim stated, at some point he pulled out a knife to defend himself while demanding his dog back. The victim saw his dog in the truck, grabbed the dog and drove to the police station to report the incident.

Probable cause was developed for third degree theft, and Mr. Heath was booked into the Spokane County Jail. At the time of this report he remains in the Spokane County Jail.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 07/13/2021

s/Corey M. McCain

Corey M. McCain
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

July 13, 2021

Date